

REMARKS

Claims 1-13 and 17-23 are pending. Claims 1, 8, 9, 17 and 18 have been amended. No new matter has been added. Applicants request reconsideration of the rejections set forth in the Office Action dated April 11, 2005 in light of the preceding amendments and following remarks.

The claims have been amended to clarify how synchronization occurs. For example, independent claim 18 now recites "a synchronization decoder for receiving said clock and synchronization streams and decoding synchronization stream packets in said synchronization streams into qualified system time events, where each qualified system time event has been temporally qualified by the synchronization decoder using a checkword contained in a synchronization stream packet". No new matter has been added. Support for the amendment can be found throughout the Specification, and in particular, on pages 4-11.

Claim Objections

Claims 1, 8 and 17 have been amended to correct informalities cited by the Examiner. The changes to the claims are provided above; no new matter has been added.

Rejections Under 35 U.S.C. §102

Claims 1-13 and 17-23 were rejected under 35 U.S.C. 102(b) as being anticipated by Noda (5,784,119). Claims 1-13 and 17-23 were rejected under 35 U.S.C. 102(e) as being anticipated by Watanabe (6,288,748).

The independent claims have been amended to clarify synchronization and the intended invention. Claim 18 for example recites "a synchronization decoder for receiving said clock and synchronization streams and decoding synchronization stream packets in said synchronization streams into qualified system time events, where each qualified system time event has been temporally qualified by the synchronization decoder using a checkword contained in a synchronization stream packet". The art of record does not teach or suggest this limitation in the context of a synchronization decoder and the claimed invention.

PTS and DTS timestamps do not anticipate or suggest a checkword. The claims also recite that the qualified system time event has been temporally qualified using a checkword

contained in a synchronization stream packet by the synchronization decoder. By contrast, the Office Action uses the system decoder 13 of Noda to teach a decoder as recited. However, col. 3 l. 12-14 of Noda states that decoder 13 just separates the PTS and DTS timestamps – the decoder 13 does not use the timestamps, nor does it temporally qualify each qualified system time event using a checkword contained in a synchronization stream packet, as recited.

In addition, the limitation of 'SYNC' in SYNC stream was not given patentable weight and read as a stream. However, in a previous communication dated February 11 2005, it was the Examiner who quoted an IEEE definition of a synchronization stream and who demonstrated solid understanding of meaning of 'synchronization stream' (or 'SYNC stream') from the claim language at that time. It is contradictory to explain meaning of a 'synchronization stream' to the Applicant, provide an IEEE definition of the term that supports personal and general understanding of a 'synchronization stream', and then contradict written understanding - and IEEE definition - for convenience of a rejection by merely reading a synchronization stream as a stream. Applicants thus respectfully submit that the limitation 'synchronization stream' be applied to the rejections without limitations removed and its plain meaning to one of skill in the art (See MPEP 2111.01). One of skill in the art appreciates the vast difference between a synchronization stream and an MPEG transport stream. The two are not readily interchangeable, and one does not anticipate the other.

The Office Action dated April 11, 2005 contended that the claims did not show description of the function of a SYNC stream. This has been corrected for. The amendment both a) clearly recites synchronization functionality, and b) distinguishes the synchronization stream from an MPEG transport stream.

For at least these reasons, Applicants submit that Noda and Watanabe, alone or in combination, do not teach or suggest independent claims 1, 8, 9 and 17 and that the independent claims are allowable.

Claims 2-7, 10-13 and 19-23 each depend either directly or indirectly from independent claims 1, 9 and 18 and are patentable over the art of record for at least the reasons set forth above with respect to the independent claims.

For example, dependent claim 5 recites a 'flywheel counter'. Neither reference teaches or remotely suggests a flywheel counter. To support anticipation, the Office Action ignores and discards the term 'flywheel' and attempts to anticipate a flywheel counter with any 'counter' provided in the references (e.g., in Noda). The term flywheel counter must be given full meaning according to its recited language; the Office Action cannot simply remove adjectives and limitations. This same logic allows any leg (such as a leg on a table, a centipede, or a frog) to reject a 'prosthetic leg' if 'prosthetic' is removed. The limitation 'flywheel counter' will be read

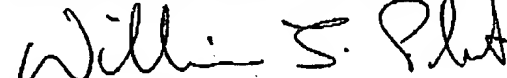
and interpreted without limitations removed. Applicants may also be their own lexicographer so long as the term is sufficiently clear in the specification (See MPEP 2111.01); suitable description of a flywheel counter is provided in the Specification on page 6, line 20 to page 7 line 3, for example.

Withdrawal of the rejections of under 35 U.S.C. § 102 are therefore respectfully requested.

Applicants believe that all pending claims are allowable and respectfully request a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,

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